



Entered on Docket  
October 28, 2009

Hon. Linda B. Riegle  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:

THE RHODES COMPANIES, LLC, aka  
"Rhodes Homes," et al.,<sup>1</sup>  
Debtors.

Case No.: BK-S-09-14814-LBR  
(Jointly Administered)

Chapter 11

Affects:

- ☐ All Debtors  
☒ Affects the following Debtor(s)  
Gung-Ho Concrete, LLC

Hearing Date: October 19, 2009  
Hearing Time: 9:30 a.m.  
Courtroom 1

**ORDER APPROVING AMENDED MOTION FOR RELIEF FROM STAY FILED BY  
VIRGINIA SPRINGALL-SMITH – [DOCKET NO. 433]**

Upon consideration of the *Amended Motion for Relief from Stay* (the "Motion") [Docket No. 433] filed by Virginia Springall-Smith ("Ms. Smith"), and good cause appearing,

IT IS HEREBY ORDERED THAT

<sup>1</sup> The Debtors in these cases, along with their case numbers are: Heritage Land Company, LLC (Case No. 09-14778); The Rhodes Companies, LLC (Case No. 09-14814); Tribes Holdings, LLC (Case No. 09-14817); Apache Framing, LLC (Case No. 09-14818); Geronimo Plumbing LLC (Case No. 09-14820); Gung-Ho Concrete LLC (Case No. 09-14822); Bravo, Inc. (Case No. 09-14825); Elkhorn Partners, A Nevada Limited Partnership (Case No. 09-14828); Six Feathers Holdings, LLC (Case No. 09-14833); Elkhorn Investments, Inc. (Case No. 09-14837); Jarupa, LLC (Case No. 09-14839); Rhodes Realty, Inc. (Case No. 09-14841); C & J Holdings, Inc. (Case No. 09-14843); Rhodes Ranch General Partnership (Case No. 09-14844); Rhodes Design and Development Corporation (Case No. 09-14846); Parcel 20, LLC (Case No. 09-14848); Tuscany Acquisitions IV, LLC (Case No. 09-14849); Tuscany Acquisitions III, LLC (Case No. 09-14850); Tuscany Acquisitions II, LLC (Case No. 09-14852); Tuscany Acquisitions, LLC (Case No. 09-14853); Rhodes Ranch Golf and Country Club, LLC (Case No. 09-14854); Overflow, LP (Case No. 09-14856); Wallboard, LP (Case No. 09-14858); Jackknife, LP (Case No. 09-14860); Batcave, LP (Case No. 09-14861); Chalkline, LP (Case No. 09-14862); Glynda, LP (Case No. 09-14865); Tick, LP (Case No. 09-14866); Rhodes Arizona Properties, LLC (Case No. 09-14868); Rhodes Homes Arizona, L.L.C. (Case No. 09-14882); Tuscany Golf Country Club, LLC (Case No. 09-14884); and Pinnacle Grading, LLC (Case No. 09-14887).

1. The Motion is granted as set forth herein.

2. The automatic stay under section 362 of the Bankruptcy Code shall be modified to permit Ms. Smith to prosecute the action entitled *Virginia Springall-Smith v. Gung-Ho Concrete, LLC et. al*, currently pending in Clark County, Nevada, Case Number A 09-593034-C, in order to allow Ms. Smith to liquidate her claim and pursue any recovery from insurance proceeds only. Ms. Smith may not file a claim against the estate or seek any recovery from the Debtor, and expressly waives any and all right to distribution from the Debtor's estate.

APPROVED DISAPPROVED:

DATED this 19<sup>th</sup> day of October 2009.

By: August Landis  
UNITED STATES TRUSTEE  
August Landis  
Office of the United States Trustee  
300 Las Vegas Blvd. S., Ste. 4300  
Las Vegas, NV 89101

**Prepared and submitted by:**

DATED this 19th day of October 2009.

THOMAS E. CROWE PROFESSIONAL  
LAW CORPORATION

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**LR 9021 Certification**

In accordance with LR 9021, counsel submitting this document certifies as follows (check one):

☐ The court has waived the requirement of approval under LR 9021.

☒ No parties appeared or filed written objections, and there is no trustee appointed in the case.

☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below.

Submitted by:

DATED this 23<sup>rd</sup> day of October 2009.

By: /s/ Zachariah Larson

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